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FOR

The better Administration of Justice at Petty Sessions Courts in Ireland. A.D. 1881.

**W**HEREAS it is expedient to make further provision for the participation of elected magistrates in the administration of justice in Ireland :

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

1. On the *first day of November* next the elected guardians of every poor law union in Ireland shall elect, in manner herein-after mentioned, a fit and proper person to fill the office of union justice for the same union. Election of union justices.

2. The election shall be by ballot, and shall be held by the chairman, or in his absence the vice-chairman of the board of guardians, or in the absence of both by such other person as the board of guardians may appoint ; it shall take place in the board room or some other room of the building in which the board of guardians usually meet, and all the provisions of the Ballot Act relating to municipal elections shall apply to elections under this Act. Mode of election.

3. The persons entitled to vote at such election shall be the elected guardians in each union for the time being. Persons entitled to vote.

4. The person so elected to be union justice, upon being approved of as herein-after mentioned, and upon taking the oaths required by law, shall have and exercise all the powers and privileges of a justice of the peace for each and every county in which any part of the union for which he is elected is situated. Person elected to be justice of the peace.

5. Immediately after the election the person acting as returning officer shall transmit to the Lord Chancellor of Ireland the name of the person so elected, and if the Lord Chancellor shall approve of

To be approved of by Lord Chancellor.

[Bill 124.]

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A.D. 1881. him he shall cause the usual authority to be given for the administration of the oaths required by law to be taken by justices of the peace.

Now election  
if Lord  
Chancellor  
disapproves.

6. It shall be lawful for the Lord Chancellor, within *one month* after the name is transmitted to him, to disapprove of such election, 5 and to notify such disapproval to the chairman of the board of guardians, and thereupon the chairman, or in his absence the vice-chairman, or in the absence of both some other person appointed by the board of guardians shall, within *one fortnight*, proceed to hold a new election, giving *two weeks* notice of same, and the elected 10 guardians shall then proceed in manner before mentioned to elect some other person to be submitted in like manner to the Lord Chancellor, and all the provisions herein enacted relating to the first election and the person elected shall apply to any subsequent election. 15

Justice to  
hold office for  
life, and to  
be removable  
by Lord  
Chancellor.

7. The person so elected shall continue to hold office for life, and so long as he continues to hold such office his name shall be included in every commission of the peace to be issued for the county in which he is entitled to act as justice: Provided always, that it shall be lawful for the Lord Chancellor to remove such 20 person from the commission of the peace in the same manner to all intents and purposes as any other justice may be removed, and upon such removal his office of union justice shall be deemed to be vacant.

Vacancies to  
be filled by  
new election.

8. Whenever a vacancy shall take place in the office of union 25 justice by the death, incapacity, resignation, or removal of such union justice, the chairman, or in his absence the vice-chairman of the board of guardians shall, within *one month* after such vacancy, proceed to hold a new election of a person to fill such office, giving *two weeks* notice of same, and every such election 30 and the person elected thereat shall be subject in all respects to the same rules, regulations, and provisions as are herein-before enacted with reference to the first election under this Act.

Powers of Lord  
Chancellor may  
be exercised  
by persons  
having custody  
of Great Seal.

9. All the powers and duties conferred herein upon the Lord Chancellor of Ireland shall and may be exercised by the Lord 35 Keeper, Lords Commissioners, or other person or persons having at any time the custody of the Great Seal.

The clerk of  
the union to  
assist in carrying  
out the Act.

10. The clerk of each union to get the sum of *five* pounds for conducting each election.

11. The expenses incurred by the returning officer in carrying out any election under this Act shall be defrayed by the board of guardians out of the rates of the union at large.

Election expenses to be paid out of rates of union.

12. This Act may for all purposes be cited as the Union Justices (Ireland) Act, 1881.

Short title of Act.

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*For the better Administration of Justice  
at Petty Sessions Courts in Ireland.*

*(Prepared and brought in by  
Mr. O'Sullivan, Mr. Nolan, Mr. Purcell,  
Mr. Richard Power, and Mr. Kings.)*

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[No 134]

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